

05/30/00
jc685 U.S. PTO

PATENT
ATTORNEY DOCKET NO.: 051638-5001-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
BOX PATENT APPLICATION
Washington, D.C. 20231

PRIOR APPLICATION
Examiner: Unassigned
Group Art Unit: 2768

jc584 U.S. PTO
09/580448
05/30/00

**CONTINUATION, DIVISIONAL, AND CONTINUATION-IN-PART
PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a patent application under 37 C.F.R. § 1.53(b).

1. This application is a ☐ Continuation ☐ Divisional ☒ Continuation-in-Part patent application under 37 C.F.R. § 1.53(b), of pending prior application no. 09/497,483, filed on February 4, 2000, of:

Inventor(s): Scott A. SNYDER

For: SYSTEM AND METHOD FOR ASSISTING CUSTOMERS IN CHOOSING
AMONG A SET OF COMMODITIES USING CUSTOMER PREFERENCES

2. The papers enclosed are as follows:

54 Page(s) of specification including
1 Title Page
13 Page(s) of claims
1 Page of abstract
11 Sheet(s) of drawings containing 11 Figures
— Other: _____

3. Amendments

For continuation and divisional applications:

- ☐ Cancel in this application original claims _____ in the enclosed copy of prior application before calculating the filing fee. [At least one original claim must be retained for filing purposes.]
- ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

09580448-053000

4. Oath or Declaration

For continuation or divisional applications:

- ☐ A newly executed (original or copy) oath or declaration is enclosed.
- ☐ A copy of an oath or declaration from a prior application is enclosed under 37 C.F.R. § 1.63(d). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ A signed statement deleting inventor(s) named in the prior application is enclosed.

For continuation-in-part applications:

- ☒ A newly executed (original or copy) oath or declaration is enclosed.
- ☐ An oath or declaration is not enclosed. This application is being filed under 37 C.F.R. § 1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the declaration and paying the filing fees.

5. Relate Back - 35 U.S.C. § 120

- [X]** Amend the specification by inserting before the first line the sentence:

“This is a [] continuation [] divisional [X] continuation-in-part
of copending application(s)

- [X] Application No. 09/497,483 on February 4, 2000."
- [] International Application No. _____ filed on _____ and which designated the U.S."

6. Priority - foreign applications under 35 U.S.C. § 119(a)-(d) or § 365(b) or PCT international applications under 35 U.S.C. § 365(a) designating at least one country other than the U.S.

☐ Priority of the following foreign application(s) is/are claimed:

Country	Application No.	Filed

Certified copy(ies): ☐ is/are attached.

☐ will follow.

☐ was/were filed in prior U.S. Application No. _____ on _____.

7. Assignment

For continuation or divisional applications:

☐ The prior application is assigned of record to _____, recorded _____ at Reel/Frame _____.

☐ An assignment of the invention to _____ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

For continuation-in-part applications:

☒ An assignment of the invention to OmniChoice.com, Inc. and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

8. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$690.00 Design \$310.00
Total Claims (37 C.F.R. § 1.16(c))	53 - 20 =	33	\$ 18.00 each =	+ \$594.00
Independent Claims (37 C.F.R. § 1.16(b))	4 - 3 =	1	\$ 78.00 each =	+ \$78.00
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d))			\$260.00	+ \$
SUB-TOTAL =				\$1,362.00
Reduction by 1/2 for filing by a small entity				- \$681.00
TOTAL FILING FEE =				\$681.00

9. Fee Payment

☒ The Commissioner is hereby authorized to charge the filing fee or credit any overpayment to deposit account no. 50-0310.

[] Enclosed.

A check(s) in the amount of \$_____ to cover the _____ is enclosed.

[] The fee for extra claims under 37 C.F.R. § 1.16(d) is not being paid at this time and no authorization is given to charge our deposit account for this fee.

- Please address all correspondence to Morgan, Lewis & Bockius LLP at
Customer Number: 009629

- 1-WA/1289655.1

[] Information Disclosure Statement
[] Form PTO-1449, _____ references included
[] Declaration of Biological Deposit
[] Submission of "Sequence Listing", computer readable copy and/or amendment
pertaining thereto for biotechnology invention containing nucleotide and/or amino
acid sequence.

MORGAN, LEWIS & BOCKIUS LLP

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